



COUNTY OF SAN DIEGO NEWS RELEASE

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COUNTY WINS REDISTRICTING LAWSUIT CASE *Appellate Court Rejects Lawsuit*

The Fourth Appellate District Court of Appeal has dismissed a lawsuit filed against the County of San Diego's 2001 supervisorial redistricting process, rejecting allegations that the Board of Supervisors met secretly to approve new districts for the county.

The ruling by Judge Judith McConnell throws out an appeal of an earlier ruling by San Diego Superior Court Judge Kevin A. Enright. That earlier ruling rejected a lawsuit filed by attorney Mike Aguirre on behalf of plaintiff C. Anthony Valladolid.

"I'm pleased that, for the second time, the courts have rightfully determined the suit had no merit," said Chairwoman Dianne Jacob. "It's unfortunate that so many taxpayer dollars were needlessly wasted along the way."

The first lawsuit alleged that the Board of Supervisors violated the state open meeting law known as the Brown Act. The appeal claimed supervisors deliberated and reached agreements on drawing district boundaries through a series of one-on-one meetings and improperly held closed sessions on redistricting.

In the appeal court ruling, Judge McConnell flatly rejected the allegations:

"There was substantial, credible evidence to support the trial court's finding that the closed sessions and individual meetings with counsel were not used for deliberations or decision-making on district boundaries but were properly limited to obtaining legal advice from counsel."

County Counsel John Sansone said the, "Court of Appeal did a very thorough job in rejecting all of the allegations Mr. Michael Aguirre included in his complaint, and adopted our view that Mr. Aguirre included a number of misrepresentations of the record in the appellate briefs he filed with the Court of Appeal. The Board of Supervisors established a responsible, appropriate, and completely legal redistricting process, which both the Superior Court and the Court of Appeal have upheld as lawful."

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